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To: Commissioner for Patents for Examiner Zoila E. Cabrera Group Art Unit 2125	Facsimile No.: 703/872-9306
From: Stephanie Fay Legal Assistant to Betty Formby	No. of Pages Including Cover Sheet: 5

Message:

Enclosed herewith:

- Transmittal Document; and
- Reply Brief.

Re: Application No.: 10/004,948
Attorney Docket No.: AUS920010641US1

DATE: Tuesday, June 28, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Longnecker et al.

§ Group Art Unit: 2125

Serial No.: 10/004,948

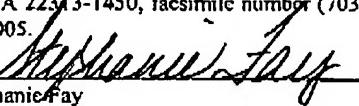
§ Examiner: Cabrera, Zoila E.

Filed: December 5, 2001

§ Attorney Docket No.: AUS920010641US1

For: Universal Server Farm Mass
Custom Design ToolCertificate of Transmission Under 37 C.F.R. § 1.8(a)

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By: 
Stephanie Ray

35525

PATENT TRADEMARK OFFICE
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Commissioner for Patents
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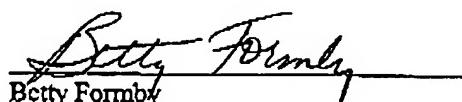
Sir:

ENCLOSED HEREWITHE:

- Reply Brief (37 C.F.R. 41.41).

No fees are believed to be required. If, however, any fees are required, I authorize the Commissioner to charge these fees which may be required to IBM Corporation Deposit Account No. 09-0447. No extension of time is believed to be necessary. If, however, an extension of time is required, the extension is requested, and I authorize the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,


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Docket No. AUS920010641US1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Longnecker et al.

Serial No. 10/004,948

Filed: December 5, 2001

For: Universal Server Farm Mass Custom Design Tool

Group Art Unit: 2125

Examiner: Cabrera, Zoila E.

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By: Stephanie Fay

REPLY BRIEF (37 C.F.R. 41.41)

This Reply Brief is submitted in response to the Examiner's Answer mailed on May 2, 2005.

No fees are believed to be required to file a Reply Brief. Any required petition for extension of time for filing this brief and fees therefore, are dealt with in the accompanying TRANSMITTAL OF REPLY BRIEF.

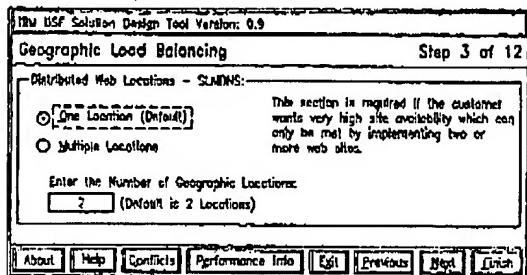
(Reply Brief Page 1 of 3)
Longnecker et al. - 10/004,948

ARGUMENT**A. GROUND OF REJECTION 1 (Claims 1, 2, 5-9, 12-16, 19-23, and 26-36)****A.1. Claims 1, 2, 6, 8-9, 13, 15-16, 20, 22-23, 27, 29-36**

In replying to Appellants' assertion that O'Sullivan does not meet the limitations for the claimed receiving step, the Examiner's Answer appears to miss the main point of Appellants' arguments. The undersigned agent regrets that the point was apparently not made clearly enough and will elaborate.

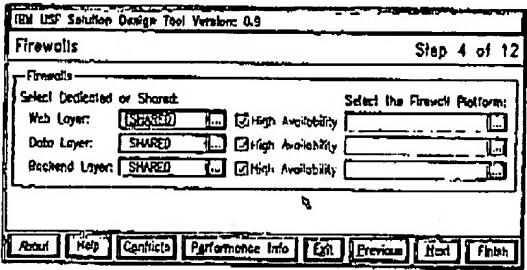
504

FIG. 5C



506

FIG. 5D



reproduced to the left to demonstrate exemplary input received by the presently claimed invention. In these drawings, the program receives information regarding geographic load balancing and firewalls. The claimed information gathering step helps the user to define what they want and need, but does not require that the user already knows all of the necessary computers and devices.

The claimed method recites, receiving user needs of the desired system, wherein the user needs describe specified capabilities and performance requirements of the desired system and do not provide schematic details for the desired system, and wherein the desired system is a computer network. Thus, the method is not expecting to receive a list of computers and devices to be connected together. Instead, the method expects that the user needs [will] describe specified capabilities and performance requirements.

Examples of possible input screens for the currently claimed invention are shown in Figures 5A-5N and described on pages 12-15 of the application. Two of these drawings are

It is acknowledged that O'Sullivan can take a pre-existing list of hosts and devices, as shown in Figure 2 of that patent and determine necessary connections. However, the presently claimed invention does more than determine necessary connections; it will receive the requirements for the system and help the user determine what is needed to put the system together. The application explicitly states that, in *one embodiment, the computer program product receives user needs of the user's desired system. The product then determines the components and connections needed to implement a system that satisfies the user needs*¹. This is reflected in claim 1 in the recitation, *receiving user needs of the desired system, wherein the user needs describe specified capabilities and performance requirements of the desired system and do not provide schematic details for the desired system, and wherein the desired system is a computer network;* and in the further recitation, *automatically determining components and connections needed to implement a system that satisfies the user needs based on the specified capabilities and performance requirements of the desired system and application of one or more system design rules to the specified capabilities and performance requirements of the desired system.* O'Sullivan does not meet these specific recitations.

Appellants further assert that Flensburg does not make up for this lack in O'Sullivan. Flensburg has been cited to show a drawing program. However, a drawing program can only draw what it has been given. Flensburg does not show the claimed step of *receiving user needs of the desired system, wherein the user needs describe specified capabilities and performance requirements of the desired system and do not provide schematic details for the desired system, and wherein the desired system is a computer network.* Thus since neither O'Sullivan nor Flensburg disclose the step discussed above, this rejection should be overturned.



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¹ Application as filed, page 4, lines 8-13